

### DETAILED ACTION

1. The following is a non-final, first office action on the merits. Claims 1-11, as originally filed, are currently pending and have been considered below.

#### *Claim Objections*

2. Claims 2-5, 7-11 are objected to because of the following informalities:

**Claim 2, 3, 4, 5, 7, 8, 9, 10, and 11** begin with "An". They should begin with "The".

#### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

**Claim 1**, recites the limitation "the subject" in line 22 and "the sexualities" in line 22. There is insufficient antecedent basis for this limitation in the claim. It should read "a subject", and "the sexualities" should read "a sexuality" or "sexuality".

**Claim 3**, recites the limitation "the appropriate advertisements" in line 2. There is insufficient antecedent basis for this limitation in the claim. It should read "appropriate advertisements".

**Claim 3** is rejected as it is unclear how claim 3 can include claims 1 and 2 as

claim 2 is dependent on claim 1. It is presumed the applicant intended to state claims 1 or 2.

**Claim 4**, recites the limitation "the URLs" in line 2 and "the web-pages" in line 3. There is insufficient antecedent basis for this limitation in the claim. It should read "URLs" and "web-pages".

**Claim 5** is rejected as it is unclear how claim 5 can include claims 1 and 2 as claim 2 is dependent on claim 1. It is presumed the applicant intended to state claims 1 or 2.

**Claim 6**, recites the limitation "the image" in line 2, "the system" in line 4, "the information" in line 8, "the number" in line 9, "the characteristics" in line 11, "the corresponding user's" in line 14. There is insufficient antecedent basis for the limitation in the claim. It should read "image", "system", "information", "number", "characteristics", "corresponding user's".

**Claim 10**, recites the limitation "the web-pages" in line 2. There is insufficient antecedent basis for this limitation in the claim. It should read "web-pages". Appropriate correction is required.

**Claim 11** is rejected as it is unclear how claim 11 can include claims 6, 7 and 8 as claims 7 and 8 are dependent on claim 6. It is presumed the applicant intended to state claims 6, 7, or 8.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**6. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tapissier et al. (US 2003/0078972), in view of Hassell et al. (US 2004/0107439), and Baker (US 2001/0048449), and Radwin (US 7,007,074).**

**As per claim 1,** Tapissier et al. discloses an advertisement providing system, using a video chatting service (See page 1, paragraph [0009], which discusses chat room broadcasting with a set top box), that displays the advertisements requested to be posted by sponsors on the image displaying windows of the chatting rooms when said chatting rooms are being created in a video chatting service system (See page 5, paragraph [0053], which discusses Ad Manager interfacing with Business Agents to propose advertising contents for the viewer while the viewer is on line) characterized by comprising:

a control section (See page 3, paragraph [0041], which discusses the Transaction Control/Business Functions 106 of FIG. 1);

a chatter number checking means that periodically checks the number of maximum allowable chatters, the number limit of chatters set by a room creator and the number of actually-participating users of each of said chatting rooms, and stores the checking results into a database (See page 9, paragraph [0087], which discusses an indicator displaying whether the chat room is full);

and a chatting room analysis means that receives the information related to each chatting room from said chatting service providing system, analyzes the characteristics of each chatting room by using said information on the subject of each chatting room (See page 5, paragraph [0053], which discusses a Christian chat room being targeted for notification of an upcoming chat room program, and accompanying that program with related advertisements), and ages (See page 4, paragraph [0046], which discusses demographic information such as age);

an image displaying window administration means that receives the image inputs of the users in each chatting room from said chatting service providing system and administrates the used/unused states of the image displaying windows in each chatting room (See page 2, paragraph [0011], which discusses another aspect of the invention as the removal of objectionable content based on user profile);

an advertisement creation/control means that receives advertisement information from sponsors, manipulates said information into web-posting-type materials and stores them into said database (See page 10, paragraph [0094], which discusses that objectionable content is selectively masked so some or all users or selected users do not see or hear it. This tool provides a web interface for access to the above functionality to ensure that it is available across the service platform).

However Tapissier et al. et al fails to explicitly disclose:

when unused image displaying windows are being detected in a chatting room by said image displaying window administration means, transmits said advertisement materials

stored in said database to said chatting service providing system, by the control of said control section, to be displayed on said unused image displaying windows.

a chatting room analysis means that receives the information related to each chatting room from said chatting service providing system, analyzes the characteristics of each chatting room by using the sexualities, and occupations of the participating users in each chatting room, and stores the analyzed result into said database.

Hassell et al. teaches electronic program guide with support for rich program content having the feature: when unused image displaying windows are being detected in a chatting room by said image displaying administration means, transmits said advertisement materials stored in said database to said chatting service providing system, by the control of said control section, to be displayed on said unused image displaying windows (See page 13, paragraph [0155], which discusses a web site serving as an advertisement), and when unused image displaying windows are being detected in a chatting room by said image displaying window administration means, transmits said advertisement materials stored in said database to said chatting service providing system, by the control of said control section, to be displayed on said unused image displaying windows (See page 6, paragraph [0102], which discusses the system automatically transmitting advertisements in advertisement region 72 simultaneously with the user-selected feed. See FIG. 11A, and FIG. 11B).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Tapissier et al., to include transmission of advertisement materials when unused image displaying windows are

being detected in a chatting room by said image displaying administration means as taught by Hassell et al. in order to effectively use display space for advertising.

Barker et al. further teaches intelligence driven paging process for a chat room having a chatting room analysis means that receives the information related to each chatting room from said chatting service providing system, analyzes the characteristics of each chatting room by using the sexualities of the participating users in each chatting room (See page 7, paragraph [0074], which discusses sexual preferences (sexualities)), and stores the analyzed result into said database (See page 2, paragraph [0014], which discusses chat room systems using a database to provide or display a list of characteristics of one chatter to another chatter).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Tapissier et al., and Baker et al. as modified above to include a chatting room analysis means that receives the information related to each chatting room from said chatting service providing system, analyzes the characteristics of each chatting room by using the sexualities of the participating users in each chatting room, and stores the analyzed result into said database as taught by Barker in order match users having similar sexual preferences.

Radwin teaches targeted advertisements using time-dependent key search terms having a chatting room analysis means that receives the information related to each chatting room from said chatting service providing system, analyzes the characteristics of each chatting room by using the occupations of the participating users in each

chatting room, and stores the analyzed result into said database (See column 2, line 15, which discusses occupation).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Tapissier et al. and Baker et al and Radwin as modified above to include a chatting room analysis means that receives the information related to each chatting room from said chatting service providing system, analyzes the characteristics of each chatting room by using the occupations of the participating users in each chatting room, and stores the analyzed result into said database as taught by Radwin in order match users having similar expertise and skills background.

**As per claim 2**, Tapissier et al. discloses advertisement creation/control means stores said advertisements according to the theme (See page 9, paragraph [0087], which discusses chat room classification according to theme) and object of each advertisement (See page 5, paragraph [0053], which discusses targeted advertising according to a number of user (object) criteria; preferences, profile, chat-room participation, etc.).

However The Tapissier et al., Hassell et al., Barker and Radwin combination as modified in 1 above fails to explicitly disclose advertisement creation/control means stores said advertisements according to the subject of each advertisement.

Radwin teaches targeted advertising using time-dependent key search terms

having advertisement creation/control means store said advertisements according to the subject of each advertisement (See the abstract which discusses storage of the advertisements and page 7, lines 21-29, which discusses search term 76 defining the subject matter of the advertisements).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Tapissier et al., Hassell et al., Barker and Radwin combination to include advertisement creation/control means to store said advertisements according to the subject, object, and theme of each advertisement as taught by Radwin in order to enable pull advertising methods for selecting appropriate advertising content for specific users.

**As per claim 3,** Tapissier et al., discloses an advertising providing system using a video chatting service as claimed in claim 1 wherein said advertisement creation/control means selects appropriate advertisements to characteristics of each chatting room (See page 5, paragraph [0053], which discusses a Christian chat room being targeted for notification of an upcoming chat room program, and accompanying that program with related advertisements).

**As per claim 4,** The Tapissier et al., Hassell et al., Barker and Radwin combination as applied to claim 1 above discloses the elements of the claimed invention but fail to explicitly disclose comprising a linked-page administration means that stores the URLs of the web-pages linked to said advertisements displayed on said image displaying windows into said database and administrates them.



Radwin teaches targeted advertising using time-dependent key search terms having a linked-page administration means that stores the URLs of the web-pages linked to said advertisements displayed on said image displaying windows into said database and administrates them (See page 3, lines 38-47, which discusses the storage of the web page searches and associated advertisements).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Tapissier et al., Hassell et al., Barker and Radwin combination to include a linked-page administration means that stores the URLs of the web-pages linked to said advertisements displayed on said image displaying windows into said database and administrates them as taught by Radwin in order to provide sponsors with an adequate storage means for the web pages linked to their advertisements.

**As per claim 5**, Tapissier et al., discloses an advertising providing system using a video chatting service as claimed in claim 1 wherein said advertisements are created in the form of texts, images, moving pictures, or any combination of these (See page 4, paragraph [0047], which discusses adaptive targeted advertising to be broadcast along with the audio visual content during a particular program).

**7. Claims 6, 7, and 9 - 11, are rejected under 35 U.S.C. 103(a) as being unpatentable over Tapissier et al. (US 2003/0078972), in view of Liles et al. (US 5,880,731), and in further in view of Hassell et al. (US 2004/0107439).**

**As per claim 6**, Tapissier et al et al. discloses an advertisement providing system, using a video chatting service (See page 1, paragraph [0009], which discusses chat room broadcasting with a set top box) , that stores the advertisements (See page 4, paragraph [0049], which discusses the viewer manager 252 providing content and advertisements to suit the user's profile) requested to be posted by sponsors on the image displaying windows of a chatting room with being connected to a chatting service providing system which provides a video chatting service to numbers of users connected to the system through their PCs having appropriate image processing devices (See page 5, paragraph [0053], which discusses Ad Manager interfacing with Business Agents to propose advertising contents for the viewer while the viewer is on line), characterized by comprising the steps of:

(a) manipulating the advertisements requested to be posted by said sponsors into web-posting-type materials and storing them (See page 10, paragraph [0094], which discusses that objectionable content is selectively masked so some or all users or selected users do not see or hear it. This tool provides a web interface for access to the above functionality to ensure that it is available across the service platform)

(b) receiving the information related to said chatting room from said chatting service providing system and checking whether the number of participating users in said chatting room exceeds the number of maximum allowable chatters of said chatting

room (See page 9, paragraph [0087], which discusses an indicator displaying whether the chat room is full)

(c) analyzing characteristics, based on said chatting room information transmitted from, said chatting service providing system, of said chatting room and the participating users in said chatting room (See page 5, paragraph [0053], which discusses a Christian chat room being targeted for notification of an upcoming chat room program, and accompanying that program with related advertisements).

However, Tapissier et al. fails to explicitly disclose

(d) checking that the corresponding user's image data is being displayed on each image displaying window in said chatting room

(e) when an unused image displaying window, among the image displaying windows of said chatting room, is being detected in step (c), transmitting said created advertisements to said chatting service providing system.

Liles et al. teaches the use of avatars with automatic gesturing and bounded interaction in on-line chat sessions having (d) checking that the corresponding user's image data is being displayed on each image displaying window in said chatting room (See page 1, lines 58-65, which discusses avatars getting added when a user joins a chat session and avatars getting removed when a user leaves a chat session).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tapissier et al. to include (d) checking that the corresponding user's image data is being displayed on each image displaying

window in said chatting room as taught by Liles et al. in order to ensure proper identity when a chat session is in progress.

Hassell et al. further teaches electronic program guide with support for rich program content having (e) when an unused image displaying window, among the image displaying windows of said chatting room, is being detected in step (c), transmitting said created advertisements to said chatting service providing system (See page 13, paragraph [0155], which discusses a web site serving as an advertisement), and when unused image displaying windows are being detected in a chatting room by said image displaying window administration means, transmits said advertisement materials stored in said database to said chatting service providing system, by the control of said control section, to be displayed on said unused image displaying windows (See page 6, paragraph [0102], which discusses the system automatically transmitting advertisements in advertisement region 72 simultaneously with the user-selected feed. See FIG. 11A, and FIG. 11B).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Harvey et al. to include (e) when an unused image displaying window, among the image displaying windows of said chatting room, is being detected in step (c), transmitting said created advertisements to said chatting service providing system as taught by Hassell et al. in order to provide sponsors with an adequate advertising opportunity that gets the user's attention, and to make sponsor's advertising material readily available by using web posting-type materials.

**As per claim 7**, Tapissier et al. et al. discloses advertisement creation/control selects the appropriate advertisements to the characteristics of each chatting room (See page 5, paragraph [0053], which discusses a Christian chat room being targeted for notification of an upcoming chat room program, and accompanying that program with related advertisements).

**As per claim 9**, The Tapissier et al., Liles et al., and Hassell et al., combination discloses the elements of the claimed invention but fails to explicitly disclose where the step of requesting said chatting service providing system to display said users' image data continuously during said users' image data are being existed on said image displaying windows.

Liles et al. teaches the use of avatars with automatic gesturing and bounded interaction in on-line chat sessions having the step of requesting said chatting service providing system to display said users' image data continuously during said users' image data are being existed on said image displaying windows (See page 1, lines 58-65, which discusses avatars getting added when a user joins a chat session and avatars getting removed when a user leaves a chat session).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Tapissier et al., Liles et al., and Hassell et al. combination to include the step of requesting said chatting service providing system to display said users' image data continuously during said users' image data are being existed on said image displaying windows as taught by Liles et al. in order to ensure proper identity when a chat session is in progress.

**As per claim 10**, Tapissier et al. discloses the step of providing a connection to the web-pages linked to said displayed advertisements when a user selects said advertisements displayed on said image displaying windows (See page 4, paragraph [0046, which discusses Advertising Manager 244 determines which advertisements and which type of targeted advertisements will be presented to the client via Broadcast 234 link 241 and Point-to-Point 232 link 210).

**As per claim 11**, Tapissier et al., discloses an advertising providing system using a video chatting service as claimed in claim 6 wherein said advertisements are created in the form of texts, images, moving pictures, or any combination of these (See page 4, paragraph [0047], which discusses adaptive targeted advertising to be broadcast along with the audio visual content during a particular program).

**8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tapissier et al. (US 2003/0078972), in view of Liles et al. (US 5,880,731), and in view of Hassell et al. (US 2004/0107439), and further in view of Malzbender et al. (US 6,853,398).**

**As per claim 8**, The Tapissier et al., Liles et al., and Hassell et al., combination as applied to claim 6 above discloses the elements of the claimed invention but fails to explicitly disclose where the step of requesting said chatting service providing system to display said users' images on said image displaying windows when said number of participating users in said chatting room is no less than said number of maximum allowable chatters of said chatting room.

Malzbender et al. teaches a method and system for real-time video

communication within a virtual environment having the step of requesting said chatting service providing system to display said users' images on said image displaying windows when said number of participating users in said chatting room is no less than said number of maximum allowable chatters of said chatting room (See column 15, lines 51-54, which discusses each participant having his/her own system of cameras, to allow for quick recognition of which participant is speaking).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Tapissier et al., Liles et al., and Hassell et al., combination to include the step of requesting said chatting service providing system to display said users' images on said image displaying windows when said number of participating users in said chatting room is no less than said number of maximum allowable chatters of said chatting room as taught by Malzbender et al. in order to promote quick recognition of which participant is speaking, and to ensure only invited attendees are participating).

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

Kusumoto, Laura Lee et al. (US 6954728) discloses a system and method for consumer-selected advertising and branding in interactive media.

Ford, Daniel A. et al. (US 6606644) discloses a system and technique for

dynamic information gathering and targeted advertising in a web based model using a live information selection and analysis tool.

Kim; Kyunam (US 6910186) discloses a graphic chatting with organizational avatars.

Santoro, Ovid et al. (US 6724403) discloses a system and method for simultaneous display of multiple information sources.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney M. Henry whose telephone number is 571-270-5102. The examiner can normally be reached on Monday through Thursday from 7:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynda Jasmin can be reached on 571-270-3033. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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/Elaine Gort/  
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January 4, 2008

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